

**Notice of Allowability**

Application No.

09/869,618

Applicant(s)

SCHNABEL ET AL.

Examiner

Art Unit

Anita M. King

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview dated September 14, 2005.
2. ☒ The allowed claim(s) is/are 1-3 and 9-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 5/11/05.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                              |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No./Mail Date <u>9-14-05</u> |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                      |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                     |
|   | 9. <input type="checkbox"/> Other _____  |

Art Unit: 3632

This is a non-final office action for application number 09/868,618, Cabinet, filed on June 29, 2001.

***Examiner's Amendment***

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on September 14, 2005, Terri Flynn requested an extension of time for 2 MONTH(S) and authorized the Director to charge Deposit Account No. 17-0055 the required fee of \$450 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1, line 1, a comma --,-- has been inserted after "cabinet"; in line 6, --formed in-- has been inserted after "aperture"; in line 7, --a planar surface-- has been inserted before "in" and --and parallel to the-- has been inserted after "horizontally"; in line 8, --planar surface-- has been inserted before "to".

In claim 9, line 1, a comma --,-- has been inserted after "cabinet"; in line 3, --a planar surface forming a web and including-- has been inserted after "including"; in line 5, "vertically extending" has been deleted; in lines 8 and 10, "hook" has been changed to --hook-shaped member--; in line 9, --and parallel-- has been inserted after "to" (first

Art Unit: 3632

occurrence); and in line 10, "a" (second occurrence) and --the-- has been inserted in place thereof.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: the primary reasons for the allowance of the claims in this application are the limitations of a frame comprising side members receiving panel mounts, the panel mounts being mountable to the side members by hook-shaped integral members formed in a cutout aperture, the integral members each being inserted in an aperture formed in a planar surface in the side members, followed by movement horizontally and parallel to the planar surface to extend the integral member along a wall of the side member behind a web of the side member, now included in independent claim 1 and in combination with the other elements recited in the claim; and a frame having a plurality of vertically-extending side members, at least one panel mount including a horizontally-extending hook-shaped member and a bore, the hook-shaped member is inserted through an aperture in the side member and slid horizontally relative to and parallel to the aperture the hook-shaped member extends horizontally along a wall of the side member behind a web, now included in independent claim 9 and in combination with the other elements recited in the claim. These combinations of limitations are not found in the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 3632


accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Anita M. King  
Primary Examiner  
Art Unit 3632

September 14, 2005